



Staff Report PC15-010-ZA

Maple Grove - Zoning Amendment/Commitments

Docket PC15-010-ZA- Maple Grove Zoning Amendment/Commitments. The petitioner is requesting approval of a Zoning Text Amendment from the Boone County GB zoning standard to the Whitestown UDO GB zoning classification. The subject property is approximately 4.78 acres including three (3) lots. The petitioner is Innovative Engineering & Consulting, Inc. and the property owner is Diversified Property Group, LLC.

History

The Maple Grove Commercial Subdivision was rezoned to GB in 2007 per 2007-06 under the Boone County Area Plan Commission. Commitments were placed on the GB rezoning classification to limit specific uses on the GB site.

Commitments were amended to include multi-family dwellings into the allowed uses under the GB zoning under Ord 2007-06.



Zoning and Context

The map below shows the highlighted lot with existing zoning and surrounding zoning. This lot is zoned GB.

- North: The property to the north is zone PB with multi-family residential.
- East: The property to the east is zoned R-3 with single family residential.
- South: The property to the south is zoned MF with multi-family residential.
- West: The property to the west is zoned GB under Zionsville jurisdiction.



Zoning Ordinance

Existing Zoning

GB- General Business: This district is designed to include central business districts in established urban places. This district would be used for most types of business and service uses. Development in this district requires connection to public water and public sewers and Development Plan approval.

Development Standards for GB (non-residential)	
Minimum road frontage:	45'
Minimum open space:	15%
Maximum building height:	75'

Permitted uses include as stated in Ord 2007-06 Commitments:

- Art & Music Schools
- Trade or Business Schools
- Municipal or Government Buildings
- Business Associations
- Bed & Breakfasts
- Dance Halls
- Studio & Schools
- Indoor Recreation Facility
- Museum & Art Gallery
- Day Care Center
- Group Residential Facility
- Nursing Home
- Cafeteria Restaurant
- Candy, Nut, Confectionary
- Dinner Theatre
- Shopping Center
- Antique Store
- Apparel Shop, Shoes, Custom Tailoring
- Bicycle Shops
- Book and Stationary Store
- Camera & Photographic Supply
- China, Glassware, Metal ware
- Department Store
- Drapery, Curtain & Upholstery
- Electrical Supply Store
- Floor Coverings
- Florists, Furriers
- Gift, novelty & Souvenir Shops
- Hardware or Variety Store
- Hobby, Toy and Game shops
- Household Appliances, furniture
- Jewelry store
- Music and video stores
- News dealers
- Paint, glass and wallpaper
- Pet shops
- Sporting goods
- Studio Business
- Accounting, Auditing & Bookkeeping Service
- Advertising Agencies
- Agricultural credit Institutions
- Attorney Services
- Auto License Bureaus
- Bank & Branch Banks
- Blueprinting & Photocopying
- Bond & Mortgage Company, Saving & Loan Installment Sales, Finance
- Clothing Rental
- Collection Agencies
- Commercial Testing Laboratories
- Counselor-at-law
- Detective Agencies & Protective Services
- Dressmaking
- Electrical Repair shop
- Engineering & Architectural Service
- Insurance Agents, brokers & service
- Newspaper publishing
- Private employment agencies
- Professional Office
- Real Estate Services
- Reupholster & Furniture Repair
- Shoe Repair
- Stenographic service
- Stock brokers & Dealers
- Tailoring & Pressing shops
- Temporary Help Supply
- Watch, clock & Jewelry Repair
- Hospitals
- Blood Banks
- Medical & Dental Laboratories
- Medical Office
- Barber Shop, Beauty shop
- Photographic studio and reducing & Health Salons
- Carry-out Restaurants (only south of the access road depicted on the original concept plan- Exhibit F)
- Drug Store (only south of access road depicted on the original concept plan- Exhibit F)
- Hotel or motel (either on westernmost lot on Exhibit F or lot furthest south and east in GB parcel.
- Grocery, Bakery, Meat & Fish, Dairy Products, Health Foods stores not exceeding 10,000 square feet.

Proposed Zoning

GB- General Business: This district is designed to include central business districts in established urban places. This district would be used for most types of business and service uses. Development in this district requires connection to public water and public sewers and Development Plan approval.

Development Standards for GB (non-residential)	
Minimum lot area:	45'
Minimum open space:	15%
Maximum building height:	75'

Permitted uses include those listed above, additionally to include per the Whitestown UDO:

- Automobile or Motorcycle Sales
- Automobile Parts Supply
- Automobile Repair Service Station
- Bait Sales
- Billiard & Pool Establishments
- Boar Sales
- Bowling Alleys
- Business Associations
- Charitable Institutions
- Church or Temple
- Civic, Social, or Religious Organizations
- Coin Operated Laundry & Dry-cleaning
- Customary Home Occupation (accessory Use)
- Diaper Service
- Disinfection Exterminating Services
- Dwelling- Multi Family
- Dwelling- Single Family
- Dwelling- Two Family
- Farm
- Food Processing
- Fraternity, Sorority or Student Housing
- Fruits & Vegetables
- Fuel Dealers
- Grocery, Bakery, Meat & Fish
- Hay, Grain, & Feed Stores
- Liquor Store
- Lodge or Private Club
- Lumber & Building Materials Dealer
- Major Residential Subdivision
- Minor Residential Subdivision
- Mobile Home, Travel Trailer, Camper sale & Services
- Monument Sales
- Mortuary
- Motion Picture Theatre
- Night Club
- Parking Garage
- Passenger Car Rental
- Photographic Studio
- Plant Nursery
- Plumbing, Heating & Air Conditioning Dealer
- Skating
- Tavern
- Temporary Mobile Home
- Tire, Battery & Accessory Dealers
- Tobacco Stores
- Truck Sales, Rental, Leasing, Repair
- Wholesale Business

Proposed Development

The project site is located south of Whitestown Parkway and north of Grove Pass, at the southeastern corner of Whitestown Parkway and CR S 700 E.

The petitioner is seeking a zoning text amendment to update the GB zoning classification previously approved via the Boone County Area Plan Commission Zoning Ordinance to reflect the newly updated Whitestown UDO. There are minor use changes between the two documents.

The petitioner anticipates to build three lots, numbered Lot 2, 3, and 4. These lots can be built for one user or multiple tenant users.

Staff Comments

1. The rezoning process is a legislative act. The Plan Commission will make a recommendation to the Town Council who then has the final say. Because this is a legislative act, the Plan Commission can require that certain commitments be made part of the rezoning and then run with the land.
2. Before being developed, the project will require Subdivision approval and/or Development Plan approval by the Plan Commission.
3. The Plan Commission should maintain and enforce the Zoning Ordinance, Subdivision Control Ordinance, and related ordinances in order to achieve the goals of the Comprehensive Plan.
4. To preserve the context of the area the following uses should be prohibited as part of this zoning update:
 - Automobile or Motorcycle Sales; Automobile Repair, Service Station; Billiard & Pool Establishments; Boat Sales; Customary Home Occupations (accessory use); Diaper Services; Disinfecting & Exterminating Services; Dwelling- Single Family; Fraternity, Sorority or Student Housing; Fuel Dealers; Hay, Grain & Feed Stores; Major Residential Subdivision; Mobile Home, Travel Trailer, Camper Sales & Services; Night Club; Temporary Mobile Home; Truck Sales, Rental, Leasing, Repair; Tobacco Stores.
5. The Plan Commission should ensure that the goals of the Comprehensive Plan and the Transportation Plan are met. Commitments such as the following should be contemplated.

Decision Guidelines

Per the Zoning Ordinance, *Section XII.B.C* the WPC and the Town Council shall pay reasonable regard to the following five decision criteria when taking action on all rezoning requests:

- the Comprehensive Plan;
- the current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the Jurisdictional Area; and
- Responsible development and growth.

Staff Recommendation

Staff Recommends that the Plan Commission give a favorable recommendation to update the currently zoned GB property to reflect the Whitestown UDO GB zoning standards.

- 1) To preserve the context of the area the following uses should be prohibited as part of this zoning update:
 - a) Automobile or Motorcycle Sales; Automobile Repair, Service Station; Billiard & Pool Establishments; Boat Sales; Customary Home Occupations (accessory use); Diaper Services; Disinfecting & Exterminating Services; Dwelling- Single Family; Fraternity, Sorority or Student Housing; Fuel Dealers; Hay, Grain & Feed Stores; Major Residential Subdivision; Mobile Home, Travel Trailer, Camper Sales & Services; Night Club; Temporary Mobile Home; Truck Sales, Rental, Leasing, Repair; Tobacco Stores

If the Plan Commission gives an unfavorable recommendation (or no recommendation) to update County GB zoning classification to the Whitestown UDO GB Standards, the above conditions could still be included in the recommendation to the Town Council for their final decision.